

PATENT

Appl. No. 10/813,874

Attorney Docket No. 450103-04598.3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Leslie SPRING et al.

Appl. No. : 10/813,874

Filed : March 30, 2004

For : SUPPORT APPLICATIONS FOR RICH MEDIA PUBLISHING

Art Unit : 2171

Examiner : Not Yet Assigned

745 Fifth Avenue  
New York, New York 10151

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Mailing Label Number: ED 450556698 US

Date of Deposit: January 14, 2005

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Chiaki Kokka

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01/21/2005 WASFW1 00000017 500320 1001307 **PETITION UNDER 37 C. F. R. 1.47**

03 FC:1463 70.00 DQ 130.00 DP

Sir:

Applicants hereby petition the Commissioner to accept the accompanying Declarations submitted under 37 CFR 1.47(a) for application for patent on behalf of the omitted co-inventor Jose Armando Pena.

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Accompanying this Petition and the Declarations is the requisite petition fee under 37 CFR 1.17(h) in the amount of \$130.00, the late declaration surcharge in the amount of \$130.00, and the five-month extension of time fee in the amount of \$2,160.00. Please charge any additional fees required to our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

  
\_\_\_\_\_  
Hans R. Mahr  
Registration No. 46,138  
Tel: (212) 588-0800

PATENT

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(Signature of person mailing paper or fee)

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Commissioner for Patents  
Alexandria, VA 22313-1450

**DECLARATION OF FACTS IN SUPPORT OF FILING**  
**ON BEHALF OF LIMITED INVENTOR**

Sir:

The below-named individual declares that:

(1) I am a patent attorney authorized to practice in the United States, and I am employed by Frommer Lawrence & Haug LLP, a patent firm who represent Sony Pictures Entertainment Inc. and Sony Corporation, the assignees of the above-identified application.

(2) Our firm filed in the United States the patent application, which has been assigned Application No. 10/813,874 and the filing date of March 30, 2004.

(3) U.S. Application 10/813,874 was filed with a declaration without the inventors' signatures. A Notice to File Missing Parts was issued on June 14, 2004, and I forwarded a copy of the Notice and a revised declaration form to be signed by all the Applicants to Applicants' assignees on June 30, 2004. On July 13, 2004, I sent same revised declaration form to Applicants' employer, Sony Pictures Entertainment Inc. However, on July 22, 2004, the Applicants' employer notified us that Mr. Jose Armando Pena was no longer employed by Sony Pictures Entertainment Inc. and provided us with his last-known address (1119 Calle Linares, Duarte, California 94010). On July 22, 2004, I forwarded a copy of the revised declaration to Mr. Pena. On October 6, 2004 and on November 15, 2004 I resent copies of the same declaration to Mr. Pena. On November 24, 2004, Mr. Pena confirmed in a telephone conversation with Sony Pictures Entertainment, Inc. that he had received the documents. On December 22, 2004, I resent copies of the same declaration to Mr. Pena. On January 3, 2005, I called to Mr. Pena at his current-in-use cell phone number and left a message asking to call me back, and on January 5, 2005, I called him at the same cell phone number again and left another message to remind him of that his signature for the declaration form is needed. To date, I have not received any response from him.

(4) On information and belief, Mr. Pena, who had been employed by Sony Pictures Entertainment Inc, terminated his employment on October 23, 2003. It is reasonably believed that he still resides at his last-known address, however, notwithstanding a good faith effort on my part, I have been unable to received a signed declaration document from Mr. Pena.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

Hans Mahr  
Hans R. Mahr  
Registration No. 46,138  
Tel: (212) 588-0800



FROMMER LAWRENCE & HAUG LLP

4660 LA JOLLA VILLAGE DR. SUITE 850 SAN DIEGO, CALIFORNIA 92122  
TEL: (858) 731-5000 FAX: (858) 731-5001

July 22, 2004

**VIA MAIL ONLY**

Mr. Jose Armando Pena  
1119 Calle Linares  
Duarte, CA 94010

Re: U.S. Patent Applications No. 10/813,868, No. 10/813,858, and No. 10/813,874  
Our Ref.: 450103-04598.1, 450103-04598.2, and 450103-04598.3

Dear Mr. Pena,

We have prepared and enclose a blank Declaration/Power of Attorney document and a blank Assignment for the patent applications referenced above. Please sign and date the documents as indicated and then return the signed original documents to us. We will file the signed documents with the U.S. Patent & Trademark Office.

Please do not hesitate to contact me if you have any questions.

Sincerely yours,

Hans R. Mahr

HRM:ck

Enclosures: 1. Declaration for Patent Application and Power of Attorney (*blank*)  
2. Assignment (*blank*)

cc: William S. Frommer (w/o enclosures)



NOT AVAILABLE OVER THE INTERNET  
FROMMER LAWRENCE & HAUG, LLP

4660 LA JOLLA VILLAGE DR. SUITE 850 SAN DIEGO, CALIFORNIA 92122  
TEL: (858) 731-5000 FAX: (858) 731-5001

October 6, 2004

**VIA MAIL ONLY**

Mr. Jose Armando Peña  
1119 Calle Linares  
Duarte, CA 94010

**Re: U.S. Patent Applications No. 10/813,868, No. 10/813,858, and No. 10/813,874  
Our Ref.: 450103-04598.1, 450103-04598.2, and 450103-04598.3**

Dear Mr. Peña,

In connection with the patent applications referenced above, this is sent as a reminder that the due date for filing signed Declaration/Power of Attorney documents and signed Assignment documents is October 14, 2004. Please sign and date the blank documents attached herewith as indicated and then return the signed original documents to us. We will file the signed documents with the U.S. Patent & Trademark Office.

Thank you for your cooperation in this matter. Please do not hesitate to contact me if you have any questions.

Sincerely yours,

Hans R. Mahr

HRM:ck

Enclosures: 1. Declaration for Patent Application and Power of Attorney (*blank*)  
2. Assignment (*blank*)

cc: ✓Ms. Carrie Merzbacher, SEL (w/o enclosures)  
✓Ms. Susie Oh, SPE (w/o enclosures)  
William S. Frommer (w/o enclosures)



FROMMERMER LAWRENCE & HAUG

4660 LA JOLLA VILLAGE DR. SUITE 850 SAN DIEGO, CALIFORNIA 92122  
TEL: (858) 731-5000 FAX: (858) 731-5001

November 15, 2004

**VIA MAIL ONLY**

Mr. Jose Armando Peña  
1119 Calle Linares  
Duarte, CA 94010

Re: U.S. Patent Applications No. 10/813,868, No. 10/813,858, and No. 10/813,874  
Our Ref.: 450103-04598.1, 450103-04598.2, and 450103-04598.3

**Response due: December 14, 2004**

Dear Mr. Peña,

In connection with the patent applications referenced above, this is sent as a 2<sup>nd</sup> reminder that the due date for filing signed Declaration/Power of Attorney documents and signed Assignment documents is December 14, 2004 (extended from August 14, 2004). Please sign and date the blank documents attached herewith as indicated and then return the signed original documents to us. We will file the signed documents with the U.S. Patent & Trademark Office.

Thank you for your cooperation in this matter. Please do not hesitate to contact me if you have any questions.

Sincerely yours,

Hans R. Mahr

HRM:ck

Enclosures: 1. Declaration for Patent Application and Power of Attorney (*blank*)  
2. Assignment (*blank*)

cc: ✓ Ms. Carrie Merzbacher, SEL (w/o enclosures)  
✓ Ms. Susie Oh, SPE (w/o enclosures)  
William S. Frommer (w/o enclosures)

NEW YORK OFFICE  
745 FIFTH AVENUE NEW YORK, NY 10151  
TEL: (212) 588-0800 FAX: (212) 588-0500

00232695



FROMMER LAWRENCE & HAUG LLP

4660 LA JOLLA VILLAGE DR. SUITE 850 SAN DIEGO, CALIFORNIA 92122  
TEL: (858) 731-5000 FAX: (858) 731-5001

December 22, 2004

**VIA CERTIFIED MAIL (USPS Certified Mail No. 7002 3150 0002 1769 4537)**

Mr. Jose Armando Peña  
1119 Calle Linares  
Duarte, CA 94010

**Re: U.S. Patent Applications No. 10/813,868, No. 10/813,858, and No. 10/813,874  
Our Ref.: 450103-04598.1, 450103-04598.2, and 450103-04598.3**

**Response due: January 14, 2005 (non-extendable)**

Dear Mr. Peña,

In connection with the patent applications referenced above, this is sent as a 2<sup>nd</sup> reminder that the due date for filing signed Declaration/Power of Attorney documents and signed Assignment documents is **January 14, 2005 (no further extension is available)**. Please sign and date the blank documents attached herewith as indicated and then return the signed original documents to us. We will file the signed documents with the U.S. Patent & Trademark Office.

Thank you for your cooperation in this matter. Please do not hesitate to contact me if you have any questions.

Sincerely yours,

Hans R. Mahr

HRM:ck

Enclosures: 1. Declaration for Patent Application and Power of Attorney (*blank*)  
2. Assignment (*blank*)

cc: Ms. Carrie Merzbacher, SEL (w/o enclosures)  
Ms. Susie Oh, SPE (w/o enclosures)  
William S. Frommer (w/o enclosures)

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Sent To **Mr. Jose Armando Peña**

Street, Apt. No.;  
or PO Box No. **1119 Calle Linares**

City, State, ZIP+4 **Duarte, CA 94010**

PS Form 3800, June 2002

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